

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. We have addressed the Examiner's objection to the Abstract.

#### **Disposition of Claims**

Prior to this response, the application included claims 1-33. Applicants have cancelled claims 13-15, 19, 21, 22 and 29-33. Examiner has rejected claims 1-4, 8, and 10-12, and objected to claims 5-7, and 9. Applicants acknowledge the Examiner's indication that claims 16-18, 20, and 23-28 are allowed, and claims 5-7, and 9 would be allowable if amended to be independent form and to include the features recited in base claim 1. Accordingly, claims 1-12, 16-18, 20, and 23-28 are presented for examination, with claims 1, 16, and 23 being in independent form.

#### **Rejections under 35 U.S.C. §102**

The Office Action rejects claims 1, 4, 10, and 11 under 35 U.S.C. 102(b) as being anticipated by Yamamori et al. (U.S. 4,358,781).

#### *Independent Claim 1*

The Examiner rejected claim 1 as anticipated by Yamamori. Applicants respectfully traverse. Independent claim 1 recites a drop ejection device having "the aperture being in communication with a vacuum source." Applicants submit that Yamamori does not describe a drop ejection device including an aperture being in communication with a vacuum source, as recited in independent claim 1. Rather, Yamamori describes an ink jet writing apparatus having an air chamber that provides a laminar air flow toward a writing surface located forward of the writing head. (See col. 3, lines 36-40)(emphasis added)

Accordingly, applicants submit that claim 1 is not anticipated and respectfully requests that the rejection under 35 U.S.C. 102 be withdrawn. Furthermore, because claims 4, 5-7, and 9-11 depend from claim 1, these dependent claims are not anticipated for at least the same reason that independent claim 1 is not anticipated.

The Examiner also rejected dependent claims 2, 3, and 8 as being unpatentable over Yamamori et al in view of Le et al (U.S. 4,613,875). The Examiner acknowledges that Yamamori et al fails to disclose a drop ejection device having fluid control apertures which are spaced from the nozzle opening by about 200% of the nozzle opening width or less, fluid control apertures which are spaced from the nozzle opening by about 200% to about 1000% of the nozzle opening width or less, and the width of the nozzle opening is about 200 microns or less. Applicants submit however Le et al fails to disclose the feature found to be lacking in Yamamori et al. In particular, Le et al does not describe or suggest an aperture being in communication with a vacuum source.

The Examiner also rejected dependent claim 12 as being unpatentable over Yamamori et al in view of Howkins et al (U.S. 4,459,601). The Examiner acknowledges that Yamamori et al fails to disclose the body is a silicon material. Applicants submit however Le et al fails to disclose the feature found to be lacking in Yamamori et al. In particular, Howkins et al does not describe or suggest an aperture being in communication with a vacuum source.

Accordingly, applicants submit that claims 2, 3, 8, and 12 are not obvious and respectfully request that the rejection under 35 U.S.C. 103 be withdrawn.

## **Conclusion**

The applicants believe that the claims have been shown to be allowable over the prior art. Applicants believe that this reply is responsive to each ground of rejection cited by the examiner in the Action dated November 22, 2005, and respectfully request a Notice of Allowance.

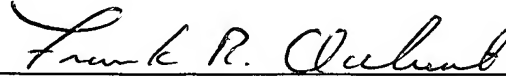
It is not believed that any fees are due, but please apply any charges to deposit account 06-1050, referencing Attorney Docket No. 09991-148001.

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Respectfully submitted,

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